

and maintenance of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.” It is also the Secretary’s responsibility to improve the economic well being of the Indian people through proper and efficient resource use.

§ 166.3 Objectives.

It is the purpose of the regulations of this part to:

(a) Preserve, through proper grazing management, the land, water, forest, forage, wildlife, and recreational values on the reservations and improve and build up these resources where they have deteriorated.

(b) Promote use of the range resource by Indians to enable them to earn a living, in whole or in part, through the grazing of their own livestock.

(c) Provide for the administration of grazing privileges in a manner which will yield the highest return consistent with sustained yield land management principles and the fulfillment of the rights and objectives of tribal governing bodies and individual land owners.

§ 166.4 Regulations; scope; exceptions.

The grazing regulations of this part apply to individually owned, tribal, and Government lands under the jurisdiction of the Bureau of Indian Affairs, except as superseded by special written instructions from the Commissioner in particular instances, or by provisions of any tribal constitution, bylaws, or charter, heretofore duly ratified or approved, or by any tribal action authorized thereunder. All forms necessary to carry out the purpose of the regulations of this part shall be approved by the Commissioner. Grazing lands not in range units established under this part may be leased pursuant to part 162 of this chapter.

§ 166.5 Establishment of range units.

The conservation, development, and effective utilization of the range resource requires consolidation of small individual and tribal ownerships and the organization of the total range area into management units. This shall be done under the direction of the Superintendent, after consultation with the Indians, in a manner which will best meet the requirements of Indian needs, land ownership status, and proper land use. Any contiguous block of Indian and Government rangeland in excess of 2,560 acres shall be designated as one or more range units. Range units smaller than 2,560 acres may also be established under this procedure.

§ 166.6 Grazing capacity.

Subject to approval of the Area Director, the Superintendent shall prescribe the maximum number of livestock which may be grazed on each range unit and the season, or seasons, of use to achieve the objectives cited in § 166.3. The grazing capacity so prescribed will take into consideration the implementation of tribal objectives and programs requiring grazeable land to support wildlife and other nonlivestock uses. Stocking rates shall be reviewed on a continuing basis and adjusted as conditions warrant.

§ 166.7 Grazing on range units authorized by permit.

All grazing use of range units shall be authorized by a grazing permit except Indians’ use of their own land pursuant to § 166.8. Permits on range units containing trust or restricted land which is entirely tribally owned, or is in combination with Government land, may be issued by the governing body, subject to approval by the Superintendent, or by the Superintendent pursuant to § 166.9 (b). The Superintendent shall issue all permits on range units containing trust or restricted land which is entirely individually owned or is in combination with tribal and or Government land.

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